

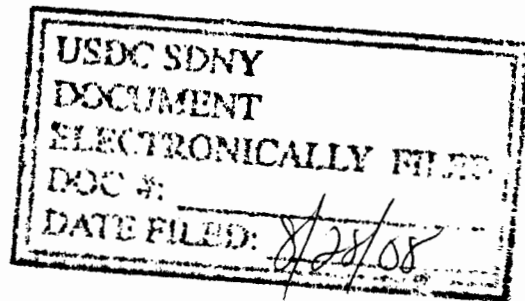
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MEMORANDUM ENDORSED

August 27, 2008

VIA FACSIMILE 212-805-4268

The Honorable Gabriel W. Gorenstein
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312



Re: Lavlan v. Tokayer, Esq.
United States District Court, Southern District of New York
Case No.: 08-CV-00938 (PAC/GWG)

Honorable Judge Gorenstein:

I am the plaintiff in the above captioned case. I respectfully submit this letter to Your Honor requesting an extension of time to respond to the defendant's motion seeking dismissal of the action.

The opposition papers are due on August 29, 2008 and the reply date by the defendant is September 19, 2008. No prior extensions have been requested.

This is a very serious motion and I need more time to respond. On August 26, 2008 I called the opposing council asking for his consent to this matter. Mr. Kowlowitz advised me though he does not have a problem to extend the time, it is up to his client, Mr. Tokayer and he needs to ask him.

I respectfully request a 30 day extension on the ²⁰dates, with new dates of September 29, 2008 to serve my opposition papers and October 19, 2008 for the defendant's possible reply papers to be served. I greatly appreciate Your Honor's time and attention in this matter.

Respectfully

David Lavian

Granted.

SO ORDERED: DATE: 8/27/2008

GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE

cc: Andrew S. Kowlowitz, Esq. (by fax 212-867-4118)
Furman, Kornfeld and Brennan LLP